

TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1201 SPR



Project Name: CITY OF WASHOUGAL ZONE 4 RESERVOIR

Case Number: PSR2009-00038; SEP2009-00079; EVR2009-00041

Location: 1312 SE 352nd Avenue

Request: The applicant is requesting SEPA review and site plan approval to construct a 1 million gallon reservoir located on 10 acres in the R-5 zone district, along with the extension of water lines to the site. A road modification for substandard sight distance at the driveway entrance is also requested.

Applicant: City of Washougal
Trevor Evers, Public Works Director
1701 C Street
Washougal, WA 98671
(360)835-8501; (360)835-5866 fax
tevers@ci.washougal.wa.us

Contact Person: Wallis Engineering
Brent Gruber
215 W 4th Street
Vancouver, WA 98660
(360)695-7041; (360)694-1043 fax
brent.gruber@walliseng.net

Property Owner: City of Washougal
1701 C Street
Washougal, WA 98671

DECISION

Approve, subject to Conditions

DS Manager's Initials: MS **Date Issued:** January 19, 2010

County Review Staff:

| | <u>Name</u> | <u>Phone Ext.</u> | <u>E-mail Address</u> |
|---|--------------------|--------------------------|------------------------------|
| Development Services Manager: | Michael Butts | 4137 | Michael.Butts@clark.wa.gov |
| Planner: | Jan Bazala | 4499 | Jan.bazala@clark.wa.gov |
| Engineer Supervisor: (Trans. & Stormwater): | Tom Grange P.E. | 4102 | Tom.Grange@clark.wa.gov |
| Engineer (Trans. & Stormwater): | Brad Hazen | 4346 | Brad.hazen@clark.wa.gov |
| Building Plans Examiner | Dave Maret | 4091 | David.maret@clark.wa.gov |

Comp Plan Designation: R-5

Parcel Number(s): 143085-000

Applicable Laws:

Clark County Code: Title 15 (Fire Prevention), Section 40.210.020 (Rural Residential Zoning District), Section 40.260 (Special Uses & Standards), Section 40.320 (Landscaping), Section 40.350, (Transportation), Chapter 40.385 (Storm Water Drainage and Erosion Control), Sections 40.500 and 40.510 (Procedures), Section 40.520.040 (Site Plan Review), Section 40.550.010 (Road Modifications), Section 40.570 (SEPA)

Neighborhood Contact:**Washougal River Neighborhood Association**

Kevin Addis
512 NE 302nd Avenue
Washougal, WA 98671

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on April 2, 2000. The pre-application was determined to be contingently vested as of March 6, 2009 (i.e., the date the fully complete pre-application was submitted).

The fully complete application was submitted on September 14, 2009 and determined to be fully complete on November 2, 2009. Given these facts the application is vested on November 2, 2009.

There are no disputes regarding vesting.

Time Limits:

The application was determined to be fully complete on November 2, 2009. Therefore, the County Code requirement for issuing a decision within 78 days lapses on January 19, 2010. The State requirement for issuing a decision within 120 calendar days, lapses on March 2, 2010.

Public Notice:

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, Washougal River Neighborhood Association, and property owners within 500 feet of the site on November 16, 2009.

Public Comments:

Yakama Nation (Johnson Meninick) SEPA comment letter received November 30, 2009 (See Exhibit 6).

Mr. Johnson requests that RCW27.53 be noted in the applicable code sections in SEPA determinations, and that any discovery of cultural resources be reported to the Yakama's Cultural Specialist

Staff response: The applicable code section of the SEPA determination lists CCC40.570 (SEPA archaeological), which integrates RCW27.53 requirements.

A standard condition will require that the State Department of Archaeology and Historic Preservation (DAHP) is notified if resources are discovered. The DAHP typically forwards all such subsequent correspondence to the tribes.

Department of Ecology SEPA comment letter dated December 1, 2009 (See Exhibit 7) stating:

- If contaminated soils are encountered that DOE shall be contacted; remedial measures may be necessary.
- Water quality from must be protected from erosion and surface contaminants

Staff response: The applicant has been provided with a copy of the DOE letter and is separately responsible for compliance with all state and federal regulations. Compliance with the county Stormwater and Erosion Control ordinance will prevent

adverse impacts off site. The county will review and monitor implementation of the applicant's erosion control plan. Erosion control measures will be monitored by county inspection staff during construction of the subdivision.

Project Overview

The 10 acre city-owned site is located approximately a mile north of the city limits of Washougal. The site has a mild slope downhill to the northwest. The northern third of the site has scattered trees; the southern two-thirds is mostly grass. A newer single family residence and a pole building are located midway north-south on the parcel. Some habitat buffer exists on the northwest corner of the site, well away from the proposed water tower.

The site and surrounding area is all zoned R-5, with mostly 5-10 acre parcels developed with homes and agricultural uses. A fire station lies directly south of the site.

The site is located within the City of Washougal's water district boundaries and within the Washougal school district and East County fire district.

A one million gallon reservoir, approximately 30 feet tall, and 90 feet in diameter is proposed, to be constructed of either concrete or steel. Along with the reservoir, extension of a water line approximately three quarters of a mile, from the corner of NE 342nd Avenue and 20th Street will be required. The route of the water line is to be within the existing rights-of-way of those two streets.

The applicant submitted a preliminary site plan, SEPA checklist, and road modification to allow for substandard sight distance for the driveway entering the site.

On December 7, 2009, the applicant submitted additional information on the service area that the reservoir will serve, a plan for the route of the water line to the site, and a revised (expanded) SEPA checklist (**See Exhibits 8, 9, and 10, respectively**).

On December 14 and 21, the applicant submitted additional stormwater information applicable to Section 40.385 (**See Exhibits 11 and 12**).

Comprehensive Plan, Zoning and Current Land Use

| Compass | Comp Plan | Zoning | Current Land Use |
|----------------|------------------|---------------|--|
| Site | R-5 | R-5 | Single family residential |
| North | R-5 | R-5 | Single family residential |
| East | R-5 | R-5 | Single family residential |
| South | R-5 | R-5 | Single family residential and fire station |
| West | R-5 | R-5 | Single family residential |

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential

adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Land Use Finding 1 – Use

The site is zoned R-5. According to Section 40.260.240, utility substations are allowed in all zoning districts. Water towers are a listed use in the “utility substation” definition.

Land Use Finding 2 – Height limits

Height limits for residential structures and accessory buildings in the R-5 zone is 35 feet. While there is no prescribed height limit for a water tower (which is neither a residential or accessory structure) in the R-5 zone, staff assumes the same 35 foot height limit to the proposed tower. The tower is shown as approximately 30 feet tall; however, it appears that the final design has not been completed.

Land Use Finding 3 – Setbacks

The site plan shows the tank to be approximately 35 feet from the south property line, which abuts SE 16th Street. Per Table 40.210.020-3, street side setbacks are 25 feet.

Land Use Finding 4 – Setbacks and height limits

40.200.060 exempts water towers from height limits provided that they are located at least 50 feet from any property line. In the event that final design of the tank results in a

height greater than 35 feet, the setback to all property lines shall be increased to at least 50 feet. **(See Condition A-1)**

Land Use Finding 5 – Landscaping

The site plan shows evergreen trees surrounding the tank. A final landscape plan will be required consistent with that shown on the site plan, indicating a species of evergreen tree which will attain a height sufficient to obscure the entire height of the tower at maturity. **(See Condition A-7.a)**

Land Use Finding 6- Other required reviews

The state Division of Environmental Health Office of Drinking Water will review the water system plan that dictate the operational requirements of the reservoir.

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the land use requirements of the Clark County Code.

ARCHAEOLOGY:

The project site is located in a low probability area for archaeological resources. No archaeological pre-determination was required; however, a note on the final construction plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. **(See Condition A-2)**

Conclusion (Archaeology):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the archaeology requirements of the Clark County Code.

TRANSPORTATION:

Transportation Finding 1 - Roads

SE 352nd Avenue is a Rural Local Access Roadway. Frontage improvements are exempt in the rural area except for right-of-way dedication. There is existing 30-foot half-width right-of-way dedication along the applicant's frontage which exceeds County code requirement; therefore, no other conditions are warranted for this finding.

Transportation Finding 2 – Driveway requirements

Driveways shall have a minimum width of 12 feet of clear, unobstructed driving surface. Driveways longer than 300 feet shall be provided with an approved turnaround at the terminus. There shall also be approved turnouts constructed such that the maximum distance from turnout to turnout or from turnout to turnarounds does not exceed 500 feet.

The preliminary plan shows the driveway distance from the street to the tank (not counting the gravel circling the tank) is approximately 250 feet. Provided the final length of the driveway does not exceed 300 feet, a turnaround is not required. **(See Condition A-3.a)**

The proposed driveway entrance shall be paved back a minimum of 20 feet from the edge of NE 352nd Avenue or to the edge of right-of-way, whichever is greater. This driveway shall be built to Clark County standard detail Drawing #F20. **(See Condition A-3.b)**

Transportation Finding 3 –Driveway sight distance

The applicant is proposing a new driveway at NW 352nd Avenue that is deficient in sight distance. The applicant has submitted a road modification for the deficient sight distance. The road mod has been approved with conditions. **(See Transportation Finding 4)**

Transportation Finding 4 – Road modification (EVR2009-00041)

Road Modification Request

The applicant has requested a road modification to allow reduced sight distance at the proposed driveway. In accordance with CCC Table 40.350.030-11, Controlled Intersection, Public Road and Driveway Sight Distance, a minimum of 500 feet of sight distance is required at the driveway intersection with NE 352nd Avenue. The applicant requests an allowable sight distance of 343 feet in this location.

Approval Criteria

If the development cannot comply with the Transportation Standards, modifications may be granted in accordance with the procedures and conditions set out in CCC 40.550. The request shall meet one (or more) of the following four specific criteria:

- a. *Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative, which can accomplish the same design purpose, is available.*
- b. *A minor change to a specification or standard is required to address a specific design or construction problem, which, if not enacted, will result in an unusual hardship.*
- c. *An alternative design is proposed which will provide a plan equal to or superior to these standards.*
- d. *Application of the standards of the Transportation Standards to the development would be grossly disproportional to the impacts created.*

Applicant's discussion (See Section K of Exhibit 2, road modification request, submitted by Wallis Engineering pages 1-10)

The applicant's road modification narrative states the following:

- SE 352nd Avenue has a statutory speed limit of 50 mph.
- The proposed driveway has over 500 feet of sight distance to the south; however, the maximum sight distance to the north will be about 343 feet if the existing roadside bank and vegetation is trimmed back.

- There will only be about 3 trips per week to the water tower for maintenance by experienced drivers in municipal vehicles.
- Based on the AASHTO 2004 guidelines for measuring stopping sight distance for 47 mph, the required sight distance is 368 feet.

The applicant has submitted a traffic count from H. Lee and Associates dated April 2, 2008, taken on SE 352nd Avenue, about 430 feet north of SE 16th Street. The results show that the traffic volumes are low. The speed study shows an 85 percentile speed of 47 mph requiring 470 feet of corner sight distance.

The applicant believes the requested road modification for reduction of the corner sight distance and stopping sight distance standards can be justified based on the criteria (b) and (d) as stated above.

Recommendation

Staff believes the applicant has provided sufficient justification for the road modification request. Staff believes the proposal complies with 40.550.010(A)(1)(b) & (d). Staff, therefore, has recommended Approval of the road modification request subject to a condition. Development Engineering Manager has approved the road modification request. (**See Exhibit 13 and See Condition A-3.c**)

Conclusion (Transportation):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the transportation requirements of the Clark County Code.

STORMWATER:

Stormwater Finding 1- Applicability

In accordance with the Stormwater and Erosion Control Ordinance (CCC 40.385), new development and redevelopment within the rural areas that adds or replaces impervious area of greater than two thousand (2,000) square feet and less than five percent (5%) of a site, or is a land-disturbing activity greater than seven thousand (7,000) square feet, are subject to the minimum requirements dependent on site-specific characteristics.

(1) Minimum requirements No. 1 through No. 5 shall apply if the project meets all of the following criteria:

- (a) Is outside of habitat or wetland areas or their buffers; and
- (b) Does not generate runoff in channelized flow or discharge directly or indirectly to the county's storm sewer system; and
- (c) Is not located in, and does not discharge onto, steep slope hazard areas or landslide hazard areas as designated in Section 40.430.010.

(2) Projects not meeting all the criteria in Section 40.385.020(A)(5)(b)(1) shall be subject to minimum requirements No. 1 through No. 10.

Stormwater Finding 2 - Stormwater Proposal

The applicant has submitted a stormwater memorandum stating that this project is subject to Stormwater Minimum Requirements #1 through #5. Staff agrees with the applicants engineer and concludes meet the minimum requirements of the stormwater ordinance (CCC 40.385) is feasible. **(See Condition A-5)**

Conclusion (Stormwater):

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

BUILDING SAFETY:

A building permit and plan shall be submitted with engineering for tank and slab for approval.

A geo-technical report shall be submitted with plans for review to check with engineering.

Design for this structure shall be to higher standard of essential building occupancy category IV. **(See Condition E-1)**

All structures, buildings, and facilities shall be permitted and approved by the building safety program. Approval by land use or engineering division does not constitute approval by building safety program. **(See Conditions G-3 and G-4)**

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance (The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);**
- **MDNS = Mitigated Determination of Non-Significance (The impacts can be addressed through conditions of approval); or,**
- **DNS = Determination of Non-Significance (The impacts can be addressed by applying the County Code).**

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on November 16, 2009 is hereby final.

SEPA APPEAL PROCESS:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$1,493**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner is final unless there is:

- A motion if filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 251.160; or,
- An appeal with Clark County Superior Court.

Staff Contact Person: Jan Bazala, (360) 397-2375, ext. 4499.

Responsible Official: Michael V. Butts, Development Services Manager

DECISION

Based upon the proposed plan (identified as Exhibit 1), and the findings and conclusions stated above, the Development Services Manager hereby **APPROVES** this request, subject to the following conditions of approval:

CONDITIONS OF APPROVAL

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| A | Final Construction/Site Plan Review Review & Approval Authority: Development Engineering |
|----------|---|

Prior to construction, a Final Construction/Site Plan shall be submitted for review and approved, consistent with the approved preliminary plan and the following conditions of approval:

- A-1** The height of the reservoir shall not exceed 35 feet, as measured from the top of the tank to the average grade surrounding the tank, unless the tank is relocated to be at least 50 feet from all property lines. **(See Land Use Finding 4)**
- A-2** A note shall be placed on the face of the final construction plans as follows:
"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines." **(See Archaeology Finding)**
- A-3 Final Transportation Plan/On-Site** - The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:
 - a.** All new driveways/new joint driveways shall have a minimum width of 12 feet of clear, unobstructed driving surface. If the length of the driveway not including the circle around the tank exceeds 300 feet, an approved turnaround will be required at the terminus. Should the driveway exceed 500 feet, there shall also be approved turnouts constructed such that the maximum distance from turnout to turnout or from turnout to turnarounds does not exceed 500 feet per standard detail drawing # 33. **(See Transportation Finding 2)**
 - b.** Minimum driveway pave-back shall be 20 feet or to the right-of way line, which ever is greater. The driveway pave-back shall be constructed in

conformance with Clark County standard detail drawing #F-20. (**See *Transportation Finding 2***)

- c. The applicant's engineer shall submit an engineering drawing for review and approval to show all bank regrading/vegetation trimming that is needed along SE 352nd Avenue to obtain maximum sight distance to the north of 343 feet. (**See *Transportation Finding 4***)

A-4 Transportation:

- a. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-5 Final Stormwater Plan - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.385 and Stormwater Minimum Requirements 1-5. (**See *Stormwater Finding 2***)

A-6 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.385.

A-7 Final Landscape Plan - The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary site plan and conditions listed below (ref: CCC 40.320).

- a. Indicate a species of evergreen tree that will provide screening at least as tall as the tower. (**See *Land Use Finding 5***)

A-8 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC 14.07. A grading permit is required if excavation exceeds 50 cubic yards.

A-9 Other Required Documents: – The following documents shall be submitted with the Final Construction/Site Plan:

- a. Developer's Covenant: - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the

purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

- b. If applicable, a covenant running with the land must be recorded with the plat which provides the county inspection staff permission to inspect individual onsite stormwater systems with prior notification.

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| B | Prior to Construction of Development Review & Approval Authority: Development Inspection |
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Prior to construction, the following conditions shall be met:

- B-1 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.
- B-2 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- B-3 Erosion Control** - Erosion control facilities shall not be removed without County approval.

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| C | Provisional Acceptance of Development Review & Approval Authority: Development Inspection |
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

- C-1 None**

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| D | Final Plat Review & Recording Review & Approval Authority: Development Engineering |
|----------|---|

Prior to final plat approval and recording, the following conditions shall be met:

- D-1 Not Applicable**

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| E | Building Permits Review & Approval Authority: Customer Service |
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Prior to issuance of a building permit, the following conditions shall be met:

- E-1** A building permit and plan shall be submitted with engineering for tank and slab for approval.

A geo-technical report shall be submitted with plans for review to check with engineering.

Design for this structure shall be to the higher standard of essential building occupancy category IV.

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| F | Occupancy Permits Review & Approval Authority: Customer Service |
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Prior to issuance of a certificate of completion, the following conditions shall be met:

- F-1** Prior to the issuance of a certificate of completion for the reservoir, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site. (*See Land Use Finding 5*)

F-2 Engineering Requirements:

All work shall be completed on the engineering drawings; an "as-built" Mylar shall be submitted for review and approved.

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| G | Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant |
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- G-1 Site Plans and Other Land Use Approvals** - Within 5 years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

- G-2 Department of Ecology Permit for Construction Stormwater** - A permit from the Department of Ecology (DOE) is required If:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion (less than one acre) of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

G-3 Building and Fire Safety

Building and Fire, Life, and Safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

G-4 Building Elevation Approvals – Approval of structure elevations submitted for preliminary plan review does not ensure compliance with other requirements (e.g., building setbacks) under other construction codes. Compliance with other construction codes is the responsibility of the applicant at the time of building permit issuance.

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| H | Post Development Requirements Review & Approval Authority: As specified below |
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H-1 Vegetation shall be kept trimmed in order to maximize sight distance to the north, as specified by Condition A-3.b. (*See Transportation Finding 4*)

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| Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed. |
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Decision Appeal Process:

An **appeal** of any aspect of this decision may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on January 19, 2010. Therefore any appeal must be received in this office by February 2, 2010.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;

- The reasons why each aspect is in error as a matter of fact or law;
- The evidence relied on to prove the error; and,
- The appeal fee of **\$5,240** (Planning = \$4,826 + Engineering = \$414).

An appeal of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Superior Court or reconsidered by the Hearing Examiner only by a party of record pursuant to Ordinance 10-19, adopted 10/27/2009 by the Board of County Commissioners.

Attachments:

- Copy of Proposed Preliminary Plan

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

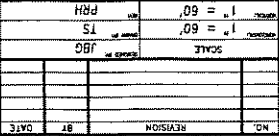
A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

For Staff Only:

| Final Plans Required with Construction Plans | YES | NO |
|---|------------|-----------|
| Final Site Plan | X | |
| Final Landscape Plan: | | |
| -On-site landscape plan | X | |
| -Right-of-way landscape plan* | | X |
| Final Wetland Plan | | X |
| Final Habitat Plan | | X |


*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.



CITY OF WASHOUGAL
ZONE 4 RESERVOIR

TYPE II SITE PLAN
REVISION SUBMITTAL



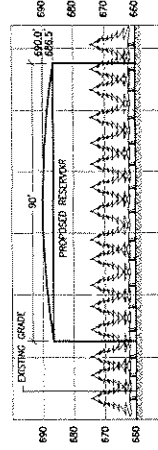
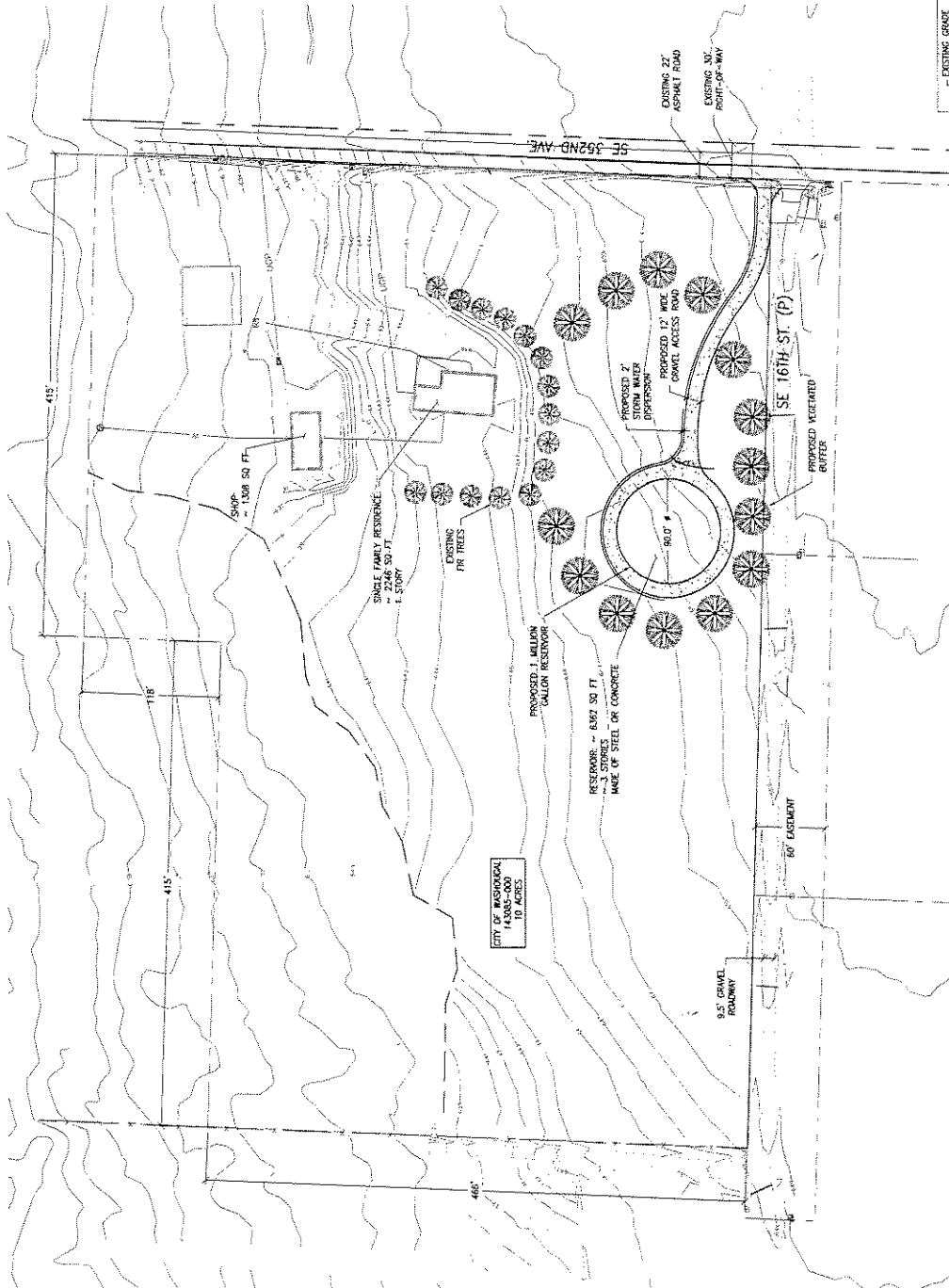
3 of 5



Walisis
enfermedad

Civil Engineer/ Contact: Wallis Engineering
215 W 4th St., Suite 200
Vancouver, Washington 98660
(360) 695-7041

Contact: Brent Gruber, Project Engineer
Brent.Gruber@walliseng.net



SECTION
NTS

30

NOTE:
PARKING AND LOADING WILL BE ALONG THE
ACCESS DRIVE AROUND THE RESERVOIR
~ 10 PARKING SPACES

